IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Appeal from Order No.68 of 2006
with
Civil Application No.73 of 2006.

Shri Pradeep Vasant Khanwilkar ..Appellant

versus

The State of Maharashtra
& Others ..Respondents

Shri Oak for the Appellant.

Shri R.S.Apte for the Respondent No.3.

Shri P.K.Dhakephalkar with R.D.Soni i/b. Rajesh Datar for the Respondent No.4.

Shri R.G.Ketkar i/b. Shri Shekhar S. Bhise for the Respondent No.6.

With
WRIT PETITION 5740 OF 2006

The Aprant Co-op. Hsg. Soc. ..Petitioner

versus

M/s. Mundra Salt & Cheimcals & Ors.
..Respondents

Shri R.G.Ketkar i/b. Shekhar S. Bhise for the Petitioners

Shri R.S.Apte for the Respondent No.6.

Shri P.K.Dhakephalkar with R.D.Soni i/b. Rajesh Datar for the Respondent No.1

WITH
APPEAL FROM ORDER NO.1138 OF 2005

The Municipal Corporation of City
of Thane ..Appellant

versus

M/s. Mundra Salt & Chemical Industries
& others ..Respndents

Mr.R.S.Apte for the Appellant

Shri P.K.Dhakephalkar with R.D.Soni i/b. Rajesh Datar for the Respondent No.1.

Shri R.G.Ketkar i/b. Shri Shekhar S. Bhise for the Respondent No.7.

WITH
CIVIL APPLICATION NO.1004 OF 2006
IN
A.O.ST.NO.24643 OF 2006
WITH
C.A.24652 OF 2006

The Aprant Co-op. Hsg. Soc. Ltd., Applicant

versus

M/s. Mundra Salt & Chemical Industries,
Thane & ors,. Respondents

Shri R.G.Ketkar i/b.Shekhar Bhise for the Appelant

Shri R.S.Apte for the Respondent No.6.

Shri P.K.Dhakephalkar with R.D.Soni i/b. Rajesh Datar for the Respondent No.1.

Shri R.G.Ketkar i/b. Shri Shekhar S. Bhise for the Respondent No.6.

Coram : S.R.Sathe, J.
Dated : 23rd August, 2007

P.C.

1. Heard Shri R.G.Ketkar, learned Advocate for Aprant Co-operative Housing Society, learned Senior Advocate Shri P.K.Dhakephalkar for M/s. Mundra Salt & Chemical Industries, Shri Oak for the Appellant in

A.O. 68 of 2006 and Shri R.S.Apte for the Municipal Corporation for the City of Thane, for quite a long time.

2. Taking into consideration the nature of dispute between the parties and the fact that the order of injunction is in operation for last six years, it was suggested to the parties that instead of interfering with the order passed by the Trial Court, the parties may consider to get the suit disposed of early. The learned counsel fairly submitted that the Trial Court be directed to expedite the matter and fixed time be given for the disposal of the suit.

3. Under the above mentioned circumstances, I am not inclined to interfere with the order passed by the Trail Court. Hence, A.O. 68 of 2006, A.O. 1138 of 2005, A.O.(St).No.24643 of 2007 and Writ Petition 5740 of 2006 are disposed of.

4. The trial Court is directed to decide the Special Civil Suit No.154 of 2000 on merits according to law as expeditiously as possible and in any event within six months from today. The trial

Court should also note that the A.O. is not disposed of on merits.

5. The parties to appear before the trial court on 3.9.2007.

6. The office is directed to send copy of this order to the Trial Court immediately with a request letter that the Special Civil Suit No.154 of 2000 be taken on board on 3.9.2007.

4. The above mentioned proceedings i.e. A.O., Writ Petition and Misc. Applications are disposed of accordingly.

(S.R.Sathe, J.)